



September 10, 2013

Rep. Kevin Cotter and Rep. Phil Cavanagh  
Judiciary Committee  
Michigan House of Representatives  
Rm. 521  
House Office Building  
Lansing, Michigan 48909

RE: HB 4770 Michigan Vehicle Code Amendment

Dear Representatives Cotter and Cavanagh:

Please share this letter with members of the Judiciary Committee as part of the hearing set for 9 a.m., Thursday, September 12, 2013 before the committee. I regret that a representative of our group cannot attend to testify in person.

The Michigan Coalition for Open Government recommends a change in the proposed legislation that currently does not include representatives of nontraditional media, such as bloggers, online publications such as *Patch.com*, *The Bridge* and *Michigan Capital Confidential*, and members of traditional media such as *Crain's Detroit Business* and *Automotive News* from access to traffic accident information.

The proposed legislation says:

"SEC. 503. (1) FOR 30 DAYS AFTER THE DATE A MOTOR VEHICLE ACCIDENT REPORT IS FILED WITH A LAW ENFORCEMENT AGENCY, ONLY THE FOLLOWING PERSONS MAY ACCESS THE REPORT: ...

(F) AN EMPLOYEE OF A RADIO OR TELEVISION STATION LICENSED BY THE FEDERAL COMMUNICATIONS COMMISSION.

(G) AN EMPLOYEE OF A NEWSPAPER..."

That is a far too narrow definition of news media in the 21st Century. Journalism comes in a variety of different delivery forms. Some individual bloggers have more followers than the circulation of many newspapers in this state or audiences of radio and television news stations. Citizen journalists, profit organizations like *Crain's Detroit Business*, *Automotive News*, and nonprofit organizations like *The Bridge* and *Michigan Capitol Confidential* do not fit into the very limited groups permitted under this proposal.

The intent of the legislation, which was drafted to prevent unspecified "commercial solicitation," goes far beyond that scope when it seeks to define who is a journalist under state law.

Though we applaud the sponsors efforts to protect some news media access to traffic accident reports, dissemination of this type of information is no longer limited to ink on paper or a visual or audio broadcast across the public airwaves. This information should be available to all with restrictions, if that is the legislative intent, on commercial solicitors only.

The Michigan Coalition for Open Government is a tax exempt, Michigan nonprofit corporation founded to promote and protect transparency and accountability in the governments of the people, by the people and for the people at the local, state and federal levels.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Jane Briggs-Bunting". The signature is fluid and cursive, with a large loop at the beginning and a long, sweeping underline.

Jane Briggs-Bunting  
President  
Michigan Coalition for Open Government  
P.O. 7  
Oxford, Michigan 48371  
[www.miopengov.org](http://www.miopengov.org)